## UNITED STATES DISTRICT COURT

## DISTRICT OF NEW MEXICO

State of New Mexico ex rel. Hector Banderas, Attorney General,

v.

Tiny Lab Productions; Twitter Inc.; MoPub Inc.; Google Inc.; AdMob Inc.; Aerserv LLC.; InMobi PTE Ltd.; Applovin Corporation; Ironsource USA, Inc.

Civil Action No. 1:18-cv-00854 MV/KBM

**STATEMENT** 

of the defendant. Tiny Lab Proregarding representation STATES DISTRICT COURT

**ALBUQUERQUE, NEW MEXICO** 

5th February 2019

FEB **26** 2019

ITCHELL R. ELFERS CLERK INC

- 1. On 21st November 2018 Tiny Lab Productions ("the Defendant") has received a complaint with demand for jury trial filed by State of New Mexico represented by Attorney General Hector Banderas ("the Plaintiff"). The State claims that the Defendant together with Twitter Inc.; MoPub Inc.; Google Inc.; AdMob Inc.; Aerserv LLC.; InMobi PTE Ltd.; Applovin Corporation; Ironsource USA, Inc. (collectively "the SDK Defendants") has infringed the rights of the children of State of New Mexico and in such way the Defendant has violated Children's Online Privacy Protection Act and other laws of the State ("Claim").
- 2. The Defendant did not agree with the accusations that the Plaintiff has submitted and on the 13th December 2018 the Defendant served responsive pleading in which it expressed its non conformity with the accusations of the Plaintiff's claim.
- 3. On 9th January 2019 the Defendant has received a letter from the Offices of the Clerk of the United States District Court of New Mexico ("Court"), containing the excerpt from Local Rules of Civil Procedure for the District of New Mexico, highlighting Rule 83.7 of the Local Rules of Civil Procedure for the District of New Mexico which states that a corporation, partnership or business entity other than a natural person must be represented by an attorney authorized to practice before this Court.
- 4. The Defendant is a small entity, which used to design gaming apps for smartphones and tablets that were distributed via Google operated app store ("Google Play"). This was primary business activity of the Defendant and basically the only source of income.
- 5. After the Claim was filed, the Defendant was banned from Google Play. Thus, the Defendant to this day is unable to distribute its apps and receive income. The Defendant is established and operate in the Republic of Lithuania. It has no branches and/or employees located in the United States of America.

- 6. Accordingly, the Defendant has to inform the Court that the Defendant has no financial means and capabilities to adhere to the Rule 83.7 of the Local Rules of Civil Procedure for the District of New Mexico and to provide itself with legal representation, especially in the United States of America.
- 7. In consideration to the circumstances provided above, it would be unjust to obstruct the participation of foreign entity in legal proceedings only due the fact that said legal entity cannot afford itself a representation by an attorney. Accordingly, this injustice could be avoided, provided that the Court would take into consideration the arguments by the Defendant provided in written statements which the Defendant has provided or would provide in the future.
- 8. Therefore, the Defendant kindly and respectfully request the Court to exercise its right, specified in rule 1.7. of the Local Rules of Civil Procedure for the District of New Mexico, and waive the duty for the Defendant to have an attorney in this civil case. For the following civil procedures, the Defendant asks the Court to consider the responsive pleadings of the 13th December 2018 submitted by the Defendant as its position towards the Claim.

Respectfully,
Tiny Lab Productions (UAB "Invenis")
CEO Jonas Abromaitis

May

Page PAGE 23, 3RD FLOOK, KAUNAS

MOKESTIS SUMOKĖTAS TAXE PERÇUE Kaunas I



RECEIVED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

FEB 2.6 :319

MITCHELL R. ELTERS
CLERK

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

OFFICE OF THE CREEK

SUITE 270,

SUITE 270,

ALBUQUERQUE, NEW MEXICO 87

UNITED STATES OF AMERICA